

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**GARY GAUS,**

**Plaintiff**

**v.**

**POCONO MOUNTAIN REGIONAL  
POLICE COMMISSION, *et al.*,**

**Defendants**

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**CIVIL ACTION NO. 3:17-1053**

**(JUDGE MANNION)**

**ORDER**

In accordance with the memorandum issued this same day, **IT IS  
HEREBY ORDERED THAT:**

- (1)** Defendants' partial motion to dismiss, (Doc. [14](#)), Counts I, III, IV, V, VI, and VII plaintiff's amended complaint, (Doc. [9](#)), is **GRANTED**;
- (2)** The claims against moving defendants in Counts I, III, IV, V, VI, and VII are **DISMISSED WITH PREJUDICE**;
- (3)** Count II of plaintiff's amended complaint is **DISMISSED WITH PREJUDICE** insofar as it seeks relief under the Federal Declaratory Judgment Act;
- (4)** The court declines to exercise supplemental jurisdiction over plaintiff's state law claims contained in Counts II and VIII of his amended complaint, and these claims are **DISMISSED WITHOUT PREJUDICE**; and

(5) The clerk of court is directed to **CLOSE** this case.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: November 3, 2017**

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